

Department of Veterans Affairs

§ 21.5250

(i) Section 21.4208—Central Office Education and Training Review Panel.

(j) Section 21.4209—Examination of records.

(Authority: 38 U.S.C. 3241, 3690; Pub. L. 94-502, Pub. L. 99-576)

(Approved by Office of Management and Budget under control number 2900-0178)

[45 FR 31, Jan. 2, 1980, as amended at 53 FR 34499, Sept. 7, 1988; 61 FR 1526, Jan. 22, 1996; 61 FR 29030, June 7, 1996]

EFFECTIVE DATE NOTE: At 57 FR 38613, August 26, 1992, § 21.5200, paragraph (e) and its authority citation were revised, effective August 1, 1993. At 58 FR 25565, April 27, 1993, § 21.5200 was further amended by delaying the effective date to August 1, 1999. For the convenience of the user, the revised text appears as follows:

§ 21.5200 Schools.

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(e) Section 21.4204 (except paragraphs (a) and (e))—Periodic certifications.

(Authority: 38 U.S.C. 3241, 3684)

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PROGRAMS OF EDUCATION

§ 21.5230 Programs of education.

(a) *Approving the selected program of education.* Except as provided in paragraphs (b) and (c) of this section, VA will approve a program of education under chapter 32, title 38 U.S.C., only if it—

(1) Meets the definition of a program of education stated in § 21.5021(q) of this part;

(2) Has an objective as described in § 21.5021 (r) or (s) of this part;

(3) The courses or subjects in the program are approved for VA training; and

(4) The veteran or serviceperson is not already qualified for the objective of the program.

(Authority: 38 U.S.C. 3202(2))

(b) *Programs which include secondary school training.* VA may approve the enrollment of a veteran or serviceperson in a refresher, remedial, deficiency or other preparatory or special educational assistance course when the veteran or eligible serviceperson needs

the course in order to pursue an approved program of education.

(Authority: 38 U.S.C. 3241(a)(2))

(c) *Refresher training for those already qualified.* The refresher training referred to in paragraph (b) of this section includes training in a course or courses for which the veteran is already qualified provided the course or courses permit the veteran to update knowledge and skills or to be instructed in the technological advances which have occurred in the veteran's field of employment. The relevant field of employment may have been pursued either before, during or after the veteran's active duty.

(Authority: 38 U.S.C. 3241(a)(2); Pub. L. 100-689)

[55 FR 31583, Aug. 3, 1990]

§ 21.5231 Combination.

In the administration of benefits payable under chapter 32, title 38, U.S.C., the Department of Veterans Affairs will apply § 21.4233(b), (c), and (e).

(Authority: 38 U.S.C. 3241)

[45 FR 31, Jan. 2, 1980, as amended at 61 FR 7218, Feb. 27, 1996]

§ 21.5232 Change of program.

In determining whether a change of program of education may be approved for the payments of educational assistance, VA will apply § 21.4234 of this part.

(Authority: 38 U.S.C. 3241, 3691; Pub. L. 94-502, Pub. L. 101-366) (June 1, 1991)

[58 FR 46866, Sept. 3, 1993]

COURSES

§ 21.5250 Courses.

(a) In administering benefits payable under 38 U.S.C. chapter 32, VA and, where appropriate, the State approving agencies shall apply the following sections.

(1) Section 21.4250 (except paragraph (c)(1))—Approval of courses.

(2) Section 21.4251—Period of operation of course.

(3) Section 21.4252—Courses precluded.

(4) Section 21.4253—Accredited courses.